



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:14-CR-366-APG-(PAL)
)	
Plaintiff,)	
)	
v.)	Preliminary Order of Forfeiture
)	
RICKY DAMIAN JOHNSTON,)	
)	
Defendant.)	

This Court finds that defendant Ricky Damian Johnston pled guilty to Count Two of a Two-Count Criminal Indictment charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant Ricky Damian Johnston agreed to the forfeiture of the property set forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 19; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant Ricky Damian Johnston pled guilty.

The following assets are (1) any visual depiction described in Title 18, United States Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which

1 contains any such visual depiction, which was produced, transported, mailed, shipped or received
2 in violation of Title 18, United States Code, Section 2252A(a)(2) and (2) any property, real or
3 personal, used or intended to be used to commit or to promote the commission of Title 18,
4 United States Code, Section 2252A(a)(2) or any property traceable to such property, and are
5 subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

- 6 1. One (1) White Dell computer tower – Model No. Dimension E510, Serial No.
7 HMFXC91, containing a Maxtor 160GB SATA hard drive – Model No.
8 6V160EO, Serial No. V3931V7G;
- 9 2. One (1) White generic computer tower with no model or serial numbers,
10 containing a Maxtor 30GB IDE hard drive – Model No. 6E030L0711205, Serial
11 No. E13E97ZN;
- 12 3. One (1) White generic computer tower with no model or serial numbers,
13 containing a Maxtor 10GB IDE hard drive – Model No. 91021U2, Serial No.
14 G229X1QC;
- 15 4. One (1) White Dell computer tower – Model No. Dimension XPS R450, Serial
16 No. UK369, containing an IBM 13GB IDE hard drive – Model No. DTTA-
17 371290, Serial No. WMOWMF23831;
- 18 5. One (1) Dell laptop computer – Model No. XPS M1710, Serial No. 22XXVB1,
19 containing a Seagate 160GB SATA hard drive – Model No. ST9160823AS, Serial
20 No. 5NK05QQP;
- 21 6. One (1) Dell computer tower – Model No. Dimension 8200, Serial No.
22 BLKTZ11, containing a Western Digital 80GB IDE hard drive – Model No.
23 WD800, Serial No. WMA8E3970495;
- 24 7. One (1) Western Digital My Passport 750GB external hard drive, Serial No.
25 WXC0AA991369;
- 26 8. Five (5) Iomega 100MB zip disks;

9. Two (2) Impact 128MB SD cards;
10. Twenty (20) San Disk 256MB micro media cards;
11. Two (2) San Disk 1GB micro media cards;
12. Two (2) San Disk 2GB micro media cards;
13. One (1) San Disk 8GB micro media card;
14. One (1) Lexar 2GB micro media card;
15. One (1) Transcend 8GB micro media card;
16. One (1) Nokia 2GB micro media card;
17. Two (2) Pq1 2GB micro media cards;
18. One (1) 1GB micro media card;
19. One (1) Patriot 16GB micro media card;
20. One (1) Toshiba 8GB micro media card;
21. One (1) Kingston 2GB micro media card;
22. One (1) Kingston 4GB micro media card;
23. One (1) Kingston 8GB micro media card;
24. One (1) Samsung 2GB micro media card;
25. Three (3) San Disk Cruzer 2GB thumb drives;
26. One (1) Team Corona 1GB thumb drive;
27. One (1) San Disk Cruzer 4GB thumb drive; and
28. One (1) Kodak 4GB SD card

(all of which constitutes property).

This Court finds the United States of America is now entitled to, and should, reduce the
aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
the United States of America should seize the aforementioned property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
2 of Ricky Damian Johnston in the aforementioned property is forfeited and is vested in the United
3 States of America and shall be safely held by the United States of America until further order of
4 the Court.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
6 America shall publish for at least thirty (30) consecutive days on the official internet government
7 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
8 property, state the time under the applicable statute when a petition contesting the forfeiture must
9 be filed, and state the name and contact information for the government attorney to be served
10 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
11 Section 853(n)(2).

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
13 entity who claims an interest in the aforementioned property must file a petition for a hearing to
14 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
15 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
16 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
17 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
18 facts supporting the petitioner's petition and the relief sought.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
20 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
21 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
22 sixty (60) days after the first day of the publication on the official internet government forfeiture
23 site, www.forfeiture.gov.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
25 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
26 the following address at the time of filing:

1 Michael A. Humphreys
2 Assistant United States Attorney
3 Daniel D. Hollingsworth
4 Assistant United States Attorney
5 501 Las Vegas Boulevard South, Suite 1100
6 Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
8 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
9 agency following publication of notice of seizure and intent to administratively forfeit the above-
10 described property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
12 of this Order to all counsel of record.

13 DATED this 5th day of September, 2017.

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16 UNITED STATES DISTRICT JUDGE
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